

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
WELLS FARGO SECURITIES, LLC,

Plaintiff,

-v-

LJM INVESTMENT FUND, L.P. and LJM PARTNERS,
LTD,

Defendants.

LJM INVESTMENT FUND, L.P., LJM MASTER
TRADING FUND, L.P., LJM OFFSHORE FUND, LTD.,
and PFC-LJM PRESERVATIONS AND GROWTH
FUND, L.P.,

Counterclaimants,

-v-

WELLS FARGO SECURITIES, LLC,

Counter-Defendant

CIVIL ACTION NO.: 18 Civ. 2020 (LTS) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge:

Before the Court is LJM's¹ motion (ECF No. 176 ("LJM's Motion")) to quash a subpoena (the "Subpoena") served by Plaintiff-Counter-Defendant Wells Fargo Securities, LLC ("WFS") on the United States Securities Exchange Commission ("SEC"), and WFS's cross-motion to compel LJM to produce certain documents (ECF No. 178 at 3 ("WFS's Motion")). Having reviewed the

¹ LJM refers collectively to Defendants LJM Investment Fund, L.P. and LJM Partners, Ltd., as well as the additional LJM entities that appear as Counterclaimants, LJM Master Trading Fund, L.P., LJM Offshore Fund, Ltd., and PFC-LJM Preservations and Growth Fund, L.P.

parties' submissions, and having heard their arguments during the discovery conference held today, November 29, 2022 (the "Conference"), the Court orders as follows:

1. LJM's Motion is GRANTED IN PART and DENIED IN PART. WFS shall amend the Subpoena to request only (i) transcripts and exhibits from witness interviews or depositions of WFS and LJM employees in the LJM Investigation and LJM Litigation,² and (ii) presentations prepared by LJM employees and provided to the SEC in the LJM Investigation and LJM Litigation (the "Amended Subpoena"). By **December 1, 2022**, WFS shall provide LJM with a copy of the Amended Subpoena for review and approval. By **December 5, 2022**, WFS shall serve the Amended Subpoena on the SEC. WFS shall promptly provide LJM with copies of any documents the SEC produces in response to the Amended Subpoena. On its review of those documents, LJM may, on a showing of good cause, seek leave to re-open the depositions of any WFS witnesses that were previously deposed in this matter.

2. Based on its representations at the Conference, WFS's Motion is DENIED as moot.

The parties shall promptly order a transcript of the Conference. The Clerk of Court is respectfully directed to close ECF No. 176.

Dated: New York, New York SO ORDERED.
November 29, 2022

Sarah L. Cave
SARAH L. CAVE
United States Magistrate Judge

² The Court incorporates the definitions of “LJM Investigation” and “LJM Litigation” provided in the Subpoena. (See ECF No. 176-1 at 4).